

BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
OF THE STATE OF OREGON

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In the Matter of the)	DEFAULT ORDER TO DENY
Educator License of)	APPLICATION AND REVOCATION
SARAH R. MUNIZ)	OF RIGHT TO APPLY FOR LICENSURE

On April 25, 2023, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing to Sarah R. Muniz (Muniz) in which the Commission charged her with Gross Neglect of Duty and/or Gross Unfitness. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7018 1830 0001 6178 6018 to the address on file with the Commission. The Notice designated the Commission file as the record for purposes of proving a prima facie case. The Certified Mail receipt was signed and returned to the Commission on May 8, 2023. The regular First Class mail was not returned to the Commission, and assumed delivered. The Notice of Opportunity of Hearing, dated April 25, 2023, and signed by Anthony Rosilez, Executive Director, stated:

“IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING, WITHDRAW YOUR REQUEST FOR HEARING, OR IF YOU FAIL TO APPEAR AT A HEARING, OR NOTIFY THE COMMISSION THAT YOU WILL NOT APPEAR AT HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE.”

Muniz did not request a hearing. The Commission, therefore, finds Muniz to be in default and enters the following findings of fact, conclusions of law, and final order, based on the files and records of the Commission concerning this matter.

FINDINGS OF FACT

1. The Commission has licensed Muniz since July 7, 2008. Muniz held a Professional Teaching License, with an endorsement in Art (PK-12), valid from March 14, 2017, through July 29, 2022. On March 3, 2022, Muniz submitted a renewal application for her Oregon educator license. Muniz’s application was

1 pended until resolution of the matter. During all relevant times, Muniz was
2 employed by the Three Rivers School District (TRSD).

- 3 2. On May 2, 2022, the Commission received information from Oregon's
4 Department of Human Services (DHS) indicating Muniz may have committed
5 acts which constitute gross neglect of duty and/or gross unfitness. Specifically,
6 DHS reported allegations Muniz had sexually abused a sixteen-year-old high
7 school student enrolled in the TRSD. On May 31, 2022, the Commission received
8 a misconduct report from the TRSD alleging Muniz may have committed acts
9 which constitute gross neglect of duty and/or gross unfitness. Specifically, that
10 Muniz was involved in an inappropriate relationship with a student enrolled in
11 the district.
- 12 3. Investigation found that in during the 2020-21 school year, Muniz developed
13 relationships with three (3) male, minor-aged high school students who regularly
14 visited and ate lunch in Muniz's classroom at Illinois Valley High School, TRSD.
15 As Muniz's relationships with the three students deepened, Muniz began
16 communicating with the students via social media messaging or text. During the
17 2020-21 school year, Muniz's communications with the students became sexual
18 in nature. On several occasions during the school year, Muniz sent inappropriate
19 photos of herself to one of the students and this student sent Muniz an
20 inappropriate photo of himself.
- 21 4. On August 30, 2022, Muniz was indicted by a Josephine County Grand Jury of
22 two (2) felony counts of ORS 163.432 Online Sexual Corruption of a Child in the
23 Second Degree, and two (2) felony counts of ORS 167.057 Luring a Minor. On
24 February 7, 2023, Muniz entered a plea of guilty to on one (1) felony count of
25 ORS 176.057 Luring a Minor. On February 27, 2023, Muniz was sentenced to
26 thirty (30) days in jail, thirty-six (36) months supervised probation, required to
27 register as a sex offender, and fined.

28 29 **CONCLUSIONS OF LAW**

30 Sarah R. Muniz's criminal conviction criminal convictions as described in section
31 four (4) above, constitute gross neglect of duty in violation of ORS 342.175(1)(b); OAR
32 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional*

1 *judgment*); and OAR 584-020-0040(1) (*The Commission will deny, revoke or deny the*
2 *right to apply for a license or charter school registration to any applicant or educator*
3 *who, has been convicted of any of the crimes listed in ORS 342.143, or the substantial*
4 *equivalent of any of those crimes if convicted in another jurisdiction*), including ORS
5 167.057 – Luring a Minor. This conduct also constitutes gross unfitness in violation of
6 ORS 342.175(1)(c); OAR 584-020-0040(5)(c) (*Conviction of violating any federal,*
7 *state, or local law. A conviction includes any final judgment of conviction by a court*
8 *whether as the result of guilty plea, no contest plea or any other means*); OAR 584-
9 020-0040(5)(d) (*Commission of an act listed in OAR 584-020-0040(1)*); and OAR 584-
10 020-0040(5)(e) (*Admission of or engaging in acts constituting criminal conduct, even*
11 *in the absence of a conviction*).

12

13 Pursuant to ORS 342.175(3) and OAR 584-020-0040(1) the Teacher Standards
14 and Practices Commission must revoke Muniz’s license and/or her right to apply for a
15 license based on Muniz’s conviction of any of the crimes listed in ORS 342.143(3)(a), or
16 the substantial equivalent of any of those crimes, or convicted of attempt to commit
17 such crimes as defined in ORS 161.405.

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19 Muniz’s conduct underlying her conviction, as described in section four (4)
20 above, constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-
21 020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*);
22 OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(3)(a) (*Maintain the*
23 *dignity of the profession by respecting and obeying the law, exemplifying personal*
24 *integrity and honesty*).

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26 Additionally, Muniz’s criminal conviction and conduct related to Muniz’s
27 conviction constitute “gross unfitness” in violation of ORS 342.175(1)(c); OAR 584-020-
28 0040(3)(c) and (d) as defined by OAR 584-020-0040 (5) (*Gross unfitness is any*
29 *conduct which renders an educator unqualified to perform his or her professional*
30 *responsibilities*); OAR 584-020-0040(4)(f) (*Any sexual conduct with a student*) as
31 defined by OAR 584-020-0005(5); and OAR 584-020-0040(4)(o) as it incorporates
32 OAR 584-020-0035(1)(c)(D) (*Honoring appropriate adult boundaries with students in*

1 *conduct and conversations at all times).*

2 The Commission's authority to impose discipline in this matter is based upon
3 ORS 342.175.

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5 **FINAL ORDER**

6 The Commission hereby revokes Sarah R. Muniz's Educator license.

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8 IT IS SO ORDERED THIS 1 day of June, 2023.

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10 TEACHER STANDARDS AND PRACTICES COMMISSION

11 By: 
12 Dr. Anthony Rosilez, Executive Director

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15 NOTICE OF APPEAL OR RIGHTS

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17 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY
18 BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE
19 SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF
20 ORS 183.482 TO THE OREGON COURT OF APPEALS.